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Honorable J. Paul Oetken
United States District Judge
United States Courthouse
40 Foley Square
New York, New York 10007

Granted. Mr. Kukushkin's surrender date is
hereby extended to July 1, 2022.
So ordered: 5/18/2022

May 13, 2022

USA v Kukushkin, 19 Cr. 725 (JPO)



J. PAUL OETKEN
United States District Judge

Dear Judge Oetken:

I respectfully submit this letter on behalf of Andrey Kukushkin to request that the date for his voluntary surrender be extended by 30 days, from June 2, 2022 to July 1, 2022, to give me time to submit a motion for bail pending appeal, to give the Court of Appeals time to decide that request, and to give Mr. Kukushkin time to finish getting his affairs in order while the request for bail pending appeal is decided.

In late March 2022, I was appointed under the CJA to represent Mr. Kukushkin on appeal, and it has taken me several weeks to familiarize myself with the substantial trial record, including the many WhatsApp text exchanges and other exhibits admitted into evidence, and to prepare the motion for bail pending appeal. I intend to file the motion in the Court of Appeals early next week, given Your Honor's already-stated disinclination to grant bail pending appeal, but that leaves little time for the Government to respond and for the Court of Appeals to decide the request. I would therefore need to make the request on an emergency basis unless the surrender date is extended.

The additional thirty days would also permit Mr. Kukushkin to prepare for serving his sentence, which has taken longer than he anticipated. Most significantly, Mr. Kukushkin is in the midst of helping his teenage son transfer schools, as the son, who is a talented basketball player, is moving from Virginia to California for high school and will be visiting schools in the coming weeks and meeting coaches to identify the school that is the best fit. As a parent, and with the son's mother (Mr. Kukushkin's ex-wife) residing in London, Mr. Kukushkin obviously wants to make sure the best decision is made for his son's education and welfare. In addition, Mr. Kukushkin has a serious medical condition for which he receives medication every 3-4 months, and he is currently working with his doctor to adjust his treatment before going to prison, a process that is also time consuming. (If additional detail about the medical condition is needed, I can submit it separately under seal.)

Finally, as the Court is aware, Mr. Kukushkin continues to care for his father, who is partially paralyzed, and needs to confirm arrangements for his father's care while he is incarcerated.

For these reasons, Mr. Kukushkin respectfully requests an additional 30 days to surrender for service of sentence. The Government has advised me that it opposes this request.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Celeste L.M. Koeleveld".

Celeste L.M. Koeleveld

cc: AUSA Aline R. Flodr
AUSA Nicolas Roos
AUSA Hagan Scotten